

**SUPREME COURT MINUTES
WEDNESDAY MAY 28, 2003
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California reconvened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on May 28, 2003, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegarr, Chin, Brown, and Moreno.

Officers present: Frederick K. Ohlrich, Clerk; and Gail Gray, Deputy Clerk.

S096161 Joel Drouet, Petitioner

v.

Superior Court of San Francisco County, Respondent

Jim Broustis, et al., Real Parties in Interest

Cause called. William M. Simpich opened argument for Real Party in Interest.

Brad Seligman, appearing for Amicus Curiae The Impact Fund, continued argument for Real Party in Interest.

Andrew Zacks argued for Petitioner.

Mr. Simpich replied.

Cause submitted.

S106440 The People, Plaintiff and Respondent

v.

Kenneth Ray Neal, Defendant and Appellant

Cause called. Victor J. Morse argued for Appellant.

Lloyd G. Carter, Deputy Attorney General, argued for Respondent.

Mr. Morse replied.

Cause submitted.

S106256 Allen Hassan, Plaintiff and Appellant
 v.
 Mercy American River Hospital, Defendant and Respondent
 Cause called. Mukesh Advani argued for Appellant.
 Charity Kenyon argued for Respondent.
 Mr. Advani replied.
 Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.
Members of the Court and Officers present as first shown.

S109642 Shannon Guillory, Petitioner
 v.
 The Superior Court of Contra Costa County, Respondent
 The People, Real Party in Interest
 Cause called. Ron Boyer, Deputy Contra Costa County Public
 Defender, argued for Petitioner.
 L. Douglas Pipes, Senior Deputy Contra Costa County District
 Attorney, argued for Real Party in Interest.
 Mr. Boyer replied.
 Cause submitted.

S094597 The People, Plaintiff and Respondent
 v.
 Phia Lee, et al., Defendant and Appellants
 Cause called. Stephen Greenberg argued for Appellant Xiong.
 Alisa M. Weisman argued for Appellant Lee.
 Harry Joseph Colombo, Deputy Attorney General, argued for
 Respondent.
 Mr. Greenberg replied.
 Cause submitted,

Justice Joyce L. Kennard, not participating in consideration of the following case, did not take the bench.

The Honorable Stuart R. Pollak, Associate Justice, Court of Appeal, First District, Division Three, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the Court at the bench.

S096831 In re Lee Max Barnett

on

Habeas Corpus

Cause called. Robert D. Bacon argued for Petitioner.

Eric L. Christofferson, Deputy Attorney General, argued for Respondent.

Mr. Bacon replied.

Cause submitted.

Court recessed until 9:00 a.m., Thursday, May 29, 2003.

S042659PEOPLE v. COOK (JOSEPH)
Extension of time granted

to July 28, 2003 to file appellant's opening brief.

S066527PEOPLE v. LINDBERG (GUNNER J.)
Extension of time granted

to July 28, 2003 to file appellant's opening brief. The court anticipates that after that date, only three further extensions totaling 180 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S109520A095878 First Appellate District,
Division FourT. (ELDRIDGE), IN RE
Extension of time granted

Respondent's time to serve and file the reply brief and response to judicial notice motion is extended to and including June 17, 2003.

S109983RAMOS (MARCELINO) ON H.C.
Extension of time granted

to June 26, 2003 to file the informal response to the petition for writ of habeas corpus. Extension is granted based upon Deputy Attorney General Robert M. Foster's representation that he anticipates filing that document by 6/26/2003. After that date, no further extension is contemplated.

S115318**YOUNG (ROBERT) ON H.C.**
Extension of time granted

to June 23, 2003 to file the informal response to the petition for writ of habeas corpus. After that date, only six further extensions totaling about 180 additional days will be granted. Extension is granted based upon Deputy Attorney General Bruce Ortega's representation that he anticipates filing that document by 12/21/2003.

S114697B159131 Second Appellate District,
Division Three**PEOPLE v. CASIAN**
Counsel appointment order filed

Upon request of appellant for appointment of counsel, the California Appellate Project is hereby appointed to represent appellant on his appeal now pending in this court.

S116091**O'KENNARD v. CA (PEOPLE)**
Transfer order filed

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District.

G032257 Fourth Appellate District
Division Three**AMERICAN HOME ASSURANCE v. WCAB**
And Consolidated Petitions for Writ of Review
Transfer order filed

The above-entitled matter, now pending in the Court of Appeal, Fourth Appellate District, Division Three, is transferred to the Court of Appeal, Second Appellate District.